

BOARD OF APPEAL REFERRALS

July 12, 1984

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MEMORANDUM

July 12, 1984

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 7/24/84

Z-6900-6901
A. Wilson, Inc.
360-364 Amory Street, Jamaica Plain
at Cornwall Street

2½-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-1

Purpose: combine lots; use premises to store scrap metals, machinery,
vehicles, equipment, junk.

Violation(s):

Outdoor storage of scrap and junk is forbidden use.

Inappropriate and undesirable junk yard would have a detrimental impact on adjacent residential properties and the revitalization of surrounding residential neighborhoods. The Southwest Corridor development will provide open parkland directly across the street. Brookside Avenue playground abuts property in rear. Commercial traffic generated by the proposed facility is unwanted. Abutters are opposed. Recommend denial.

VOTED: In reference to petitions Z-6900-6901, A. Wilson, Inc., 360-364 Amory Street, Jamaica Plain, for two forbidden uses to combine lots and use premises for storage of scrap metals, machinery, vehicles, equipment, and junk in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends denial. Inappropriate and undesirable junk yard would have a detrimental impact on adjacent residential neighborhoods. The Southwest Corridor development will provide open parkland directly across the street. Brookside Avenue playground abuts property in rear. Commercial traffic generated by the proposed facility is unwanted.



Z-6900-6901

360-364 AMORY ST. JAMAICA PLAIN

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-6971
Pendennis Reed
29b Chestnut Street, Boston
near Willow Street

Three-story structure

District(s): apartment H-2-65 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect greenhouse addition on roof of two-family dwelling.

Violation(s):

Side and rear yards are insufficient.

Roof addition will not be visible from street. Yard violations are existing and technical. Recommend approval with proviso.

VOTED: In reference to petition Z-6971, Pendennis Reed, 29b Chestnut Street, Boston, for two variances to erect greenhouse addition on roof of two-family dwelling in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends approval with following proviso: that plans be submitted to the Authority for design review approval. Roof addition will not be visible from street, Yard violations are existing and technical.



Z-6971 29B CHESTNUT ST. BOSTON

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-6991
John Veal
131 Centre Street, Dorchester
near Melbourne Street

1½-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

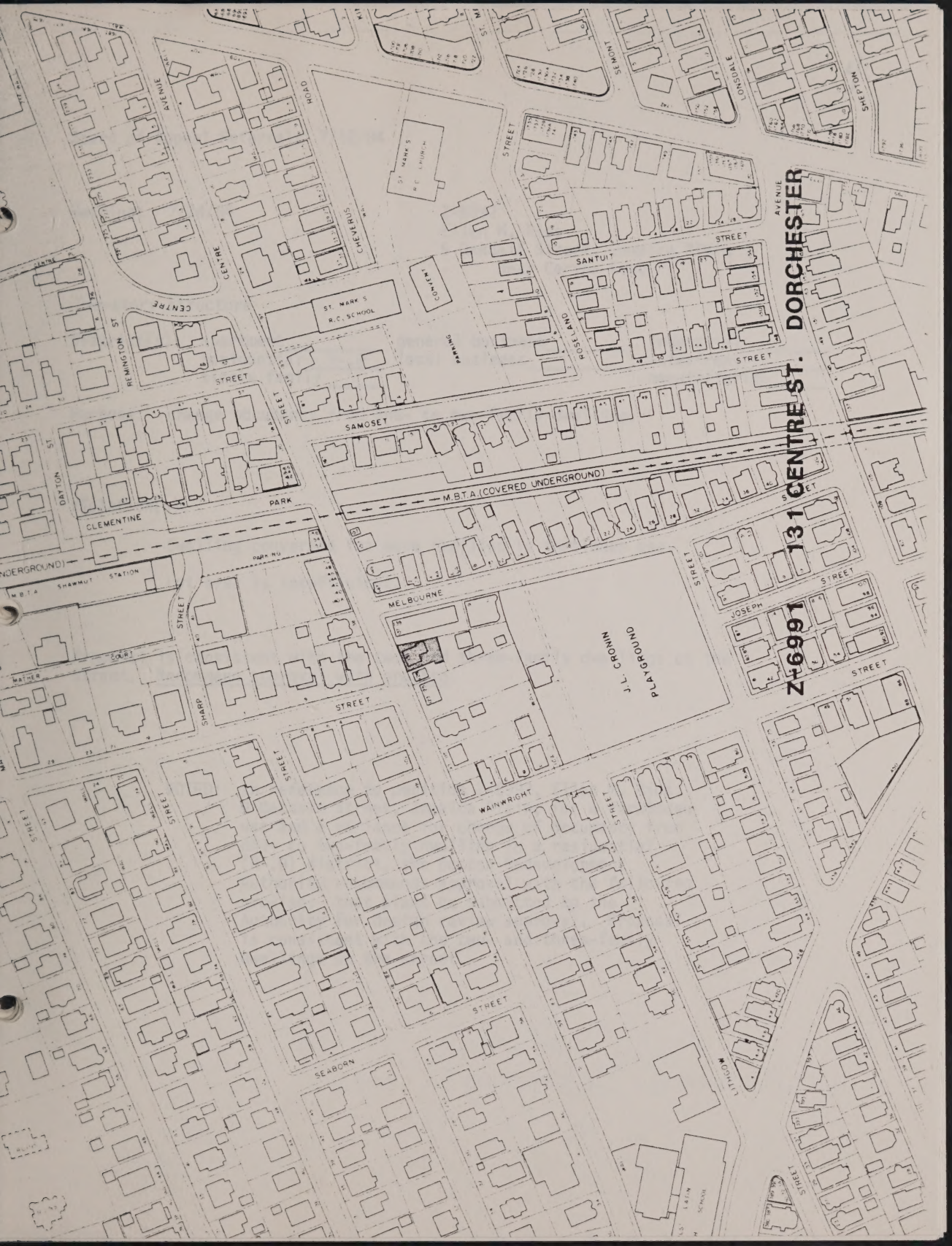
Purpose: change occupancy from one-family dwelling to one-family dwelling and store.

Violation(s):

Retail store is forbidden use.

Store which would operate from the front room of the dwelling is incompatible with the residential neighborhood and could create unwanted precedent. Recommend denial.

VOTED: In reference to petition Z-6991, John Veal, 131 Centre Street, Dorchester, for forbidden use for change of occupancy from one-family dwelling to one-family dwelling and store in a residential (R-.8) district, the Boston Redevelopment Authority recommends denial. Store which would operate from front room of dwelling is incompatible with the residential neighborhood and could create unwanted precedent.



DORCHESTER

131 CENTRE ST.

Z-6991

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-6992
Ellen M. Rios
9 Oakdale Street, Jamaica Plain
near Cerina Road

Two-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential R-.8_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from one- to two-family dwelling.

Violation(s):

Dwelling converted for more families is forbidden use.

Lot area is insufficient.

Proposal is consistent with the two- and three-family dwellings on the street. Recommend approval with proviso.

VOTED: In reference to petition Z-6992, Ellen M. Rios, 9 Oakdale Street, Jamaica Plain, for a forbidden use and a variance for change of occupancy from one- to two-family dwelling in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Proposal is consistent with the two- and three-family dwellings on the street.

Z-6992 9 OAKDALE ST JAMAICA PLAIN



Z-6992

9 OAKDALE ST.

JAMAICA PLAIN

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-6993
Joseph P. Roche
35 Murray Hill Road, Roslindale
near Washington Street

2½-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential R-.5 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: erect dormer addition to two-family dwelling.

Violation(s):

Front and rear yards are insufficient.

Shed dormer has already been constructed. Yard variances are technical.
Recommend approval with proviso.

VOTED: In reference to petition Z-6993, Joseph P. Roche, 35 Murray Hill Road, Roslindale, for two variances to erect dormer addition to two-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval with the following proviso: that there be no increase in occupancy. Shed dormer has already been constructed.

Z-6993 35 MURRAY HILL RD. ROSLINDALE



JAMES F. HEALY
PLAYGROUND

Z-6993

35 MURRAY HILL RD.

ROSLINDALE

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-6994

Economic Development and Industrial
Corporation of Boston
VII Corporation (lessee)
290 Northern Avenue (Pier 7), South Boston
near Boston Fish Pier

Waterfront industrial pier

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront W-2_____
	single family_____		manufacturing_____

Purpose: install two 9900-gallon above-ground diesel fuel and gasoline storage tanks.

Violation(s):

Conditional use if screened by a wall or tight fence not less than seven feet high.

Complete site plans have not been submitted to the Authority. The application has been filed with the Boston Fire Department; however, approval has not yet been granted. Application must also be made to the Boston Conservation Commission for a Wetlands permit. Recommend denial without prejudice.

VOTED: In reference to petition Z-6994, Economic Development and Industrial Corporation of Boston, VII Corporation (lessee), 290 Northern Avenue, Boston, for conditional use to install two 9900-gallon above-ground diesel fuel and gasoline storage tanks in a waterfront (W-2) district, the Boston Redevelopment Authority recommends denial without prejudice. Complete site plans, including locations and dimensions of all proposed tanks and proposed usage, must be submitted to the Authority for review. The location and type of tanks must be approved by the Boston Fire Department, and a permit and Order of Conditions must be issued by the Boston Conservation Commission under the Wetlands Act.

COMMONWEALTH OF MASSACHUSETTS
S. 1314

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-6995
Charles P. Interbartolo
5 Falcon Street, East Boston
near Border Street

2½-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-1

Purpose: change occupancy from two- to three-family dwelling.

Violation(s):

Dwelling converted for more families is conditional use.

Property was purchased as three-family dwelling. Occupancy is compatible with residential character of neighborhood. Recommend approval.

VOTED: In reference to petition Z-6995, Charles P. Interbartolo, 5 Falcon Street, East Boston, for conditional use for change of occupancy from two- to three-family dwelling in a manufacturing (M-1) district, the Boston Redevelopment Authority recommends approval. Property was purchased as three-family dwelling. Occupancy is compatible with residential neighborhood.



Z-6995 5 FALCON ST. EAST BOSTON

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-6997
Ernestina Wolcott
565 Massachusetts Avenue, Boston
near Shawmut Avenue

Four-story structure

District(s): apartment H-2 general business industrial
residential local business waterfront
single family manufacturing

Purpose: change occupancy from lodging house to six apartments.

Violation(s):

Dwelling converted for more families is forbidden use.

Floor area ratio is excessive.

Open space is insufficient.

More information on displacement of residents and impacts on parking is needed. Recommend denial without prejudice.

VOTED: In reference to petition Z-6997, Ernestina Wolcott, 565 Massachusetts Avenue, Boston, for a forbidden use and two variances for change of occupancy from lodging house to six apartments in an apartment (H-2) district, the Boston Redevelopment Authority recommends denial without prejudice. The petitioner should provide information on existing tenancy and plans for relocation assistance for lodgers and on the access to parking in this area. Plans should be submitted to the Authority for design review.

FARMING
A Q & A

16697

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-6999
George Demeter
651-653 Boylston Street
near Dartmouth Street

Four-story structure

District(s): apartment _____ general business B-10-155 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: install flag pole and banner with lettering.

Violation(s):

Sign not allowed above second-floor window sill.

Six-foot flag pole would be installed between third and fourth floors of office-retail structure to support a 3' x 7' banner indicating "Welch, Currier, Smith, Inc.", an advertising firm. Back Bay Architectural Commission has issued certificate of appropriateness. Recommend approval.

VOTED: In reference to petition Z-6999, George Demeter, 651-653 Boylston Street, Boston, for conditional use to install flag pole and lettered banner in a general business (B-10-155) district, the Boston Redevelopment Authority recommends approval. Back Bay Architectural Commission has issued certificate of appropriateness for 3' x 7' advertising firm banner.

Board of Appeal Referrals 7/12/84

Hearing: 7/17/84

Z-7000-7014
 Boston Chatauqua Properties Inc.
 293-297 Temple Street,
 71-77 Keith Street, and
 202-216 Perham Street, West Roxbury

Two-story structure (former Ripley School)

District(s):	apartment _____	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family <u>S-.5</u>		manufacturing _____

Purpose: erect three six-unit apartment structures; erect twelve one-family townhouse structures.

Violation(s):

- Multifamily dwelling is forbidden use.
- Semidetached dwelling is forbidden use.
- Parking not allowed within required front yard.
- Lot area and front, side, and rear yards are insufficient.
- Floor area ratio and number of stories excessive.
- Parking spaces are insufficient in size and length.
- Parking maneuvering space is insufficient.

Former school structure will be demolished. Development consisting of three three-story six-unit condominium structures and twelve semidetached townhouse structures will be compatible with existing architectural character of the area. The water-sewer capacity has been deemed sufficient by the Water and Sewer Commission, alleviating neighborhood concern. Adequate open space and off-street parking (46 spaces) will be provided. Developer has reviewed project with community at several meetings. Recommend approval with proviso.

VOTED: In reference to petitions Z-7000-7014, Boston Chatauqua Properties Inc., 293-297 Temple Street, 71-77 Keith Street, and 202-216 Perham Street, West Roxbury, for fifteen forbidden uses and one hundred five variances to erect three six-unit apartment structures and twelve one-family townhouse structures in a single-family (S-.5) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans, inclusive of open space, parking, and circulation, be submitted to the Authority for design review approval. Former school structure will be demolished. Development will be compatible with existing architectural character of the area. Water-sewer capacity has been deemed adequate by the Boston Water and Sewer Commission, and adequate off-street parking is being provided, alleviating neighborhood concerns. Developer has reviewed project with community at several meetings.



Z-7000-14

71-77 KEITH ST.

293-297 TEMPLE ST.

202-216 PERHAM ST.

WEST ROXBURY

ST. JOSEPH'S
CEMETERY

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-7015

John J. Driscoll and Michael E. Leahy
5 Beale Street, Dorchester
near Dorchester Avenue

Two-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential R-.8 _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: legalize occupancy for five apartments and contractor's office.

Violation(s):

Dwelling converted for more families is forbidden use.

Contractor's office is forbidden use.

Lot area is insufficient.

No record of legal occupancy. Five apartment units existed at time of purchase, January 1983. No response from community. Recommend approval with provisos.

VOTED: In reference to petition Z-7015, John J. Driscoll and Michael E. Leahy, 5 Beale Street, Dorchester, for two forbidden uses and a variance to legalize occupancy as five apartments and contractor's office in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval with the following provisos: that no contractor's vehicles or equipment be parked or stored on premises; that contractor's office use extend only to petitioner and expire upon sale, lease, or other disposition of the property. There is no record of legal occupancy. Five apartments existed at time of purchase, January 1983.



5 BEALE ST. DORCHESTER

Z-7015

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-7016
Dimitrios Bapotal
1750-1758 Dorchester Avenue, Dorchester
at Lonsdale Street

Three-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-1</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from two apartments and stores to two apartments and pizza take-out restaurant.

Violation(s):

Take-out restaurant is conditional use.

Off-street parking is insufficient.

Additional restaurant in this area would tend to intensify existing trash and rodent problems. Strong neighborhood opposition. Recommend denial.

VOTED: In reference to petition Z-7016, Dimitrios Bapotal, 1750-1758 Dorchester Avenue, Dorchester, for a conditional use and a variance for change of occupancy from two apartments and stores to two apartments and take-out pizza restaurant in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Additional restaurant in this area would tend to intensify existing trash and rodent problems. There is strong neighborhood opposition.



Z-7016

1750-1758 DORCHESTER AVE. DORCHESTER

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84 .

Z-7018
Carmine A. Russo
3492-3498 Washington Street, Jamaica Plain
at Williams Street

One-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business L-.5_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from stores to variety store and restaurant.

Violation(s):

Take-out restaurant is conditional use.

Off-street parking is insufficient.

Combination variety store-restaurant is compatible with the mixed residential-commercial-institutional area. Recommend approval with provisos.

VOTED: In reference to petition Z-7018, Carmine A. Russo, 3492-3498 Washington Street, Jamaica Plain, for a conditional use and a variance for change of occupancy from stores to variety store and restaurant in a local business (L-.5) district, the Boston Redevelopment Authority recommends approval with the following provisos: that petitioner make provisions to provide required off-street parking; that plans for off-street parking and for any exterior changes be submitted to the Authority for design review approval.



Z-7018

3492-3498 WASHINGTON ST.

JAMAICA PLAIN

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-7019
Donald N. and Patricia M. Sweeney
305 Commonwealth Avenue, Boston
near Hereford Street

Four-story structure

District(s):	apartment H-3-65	general business	industrial
	residential	local business	waterfront
	single family		manufacturing

Purpose: erect six-foot cast iron fence.

Violation(s):

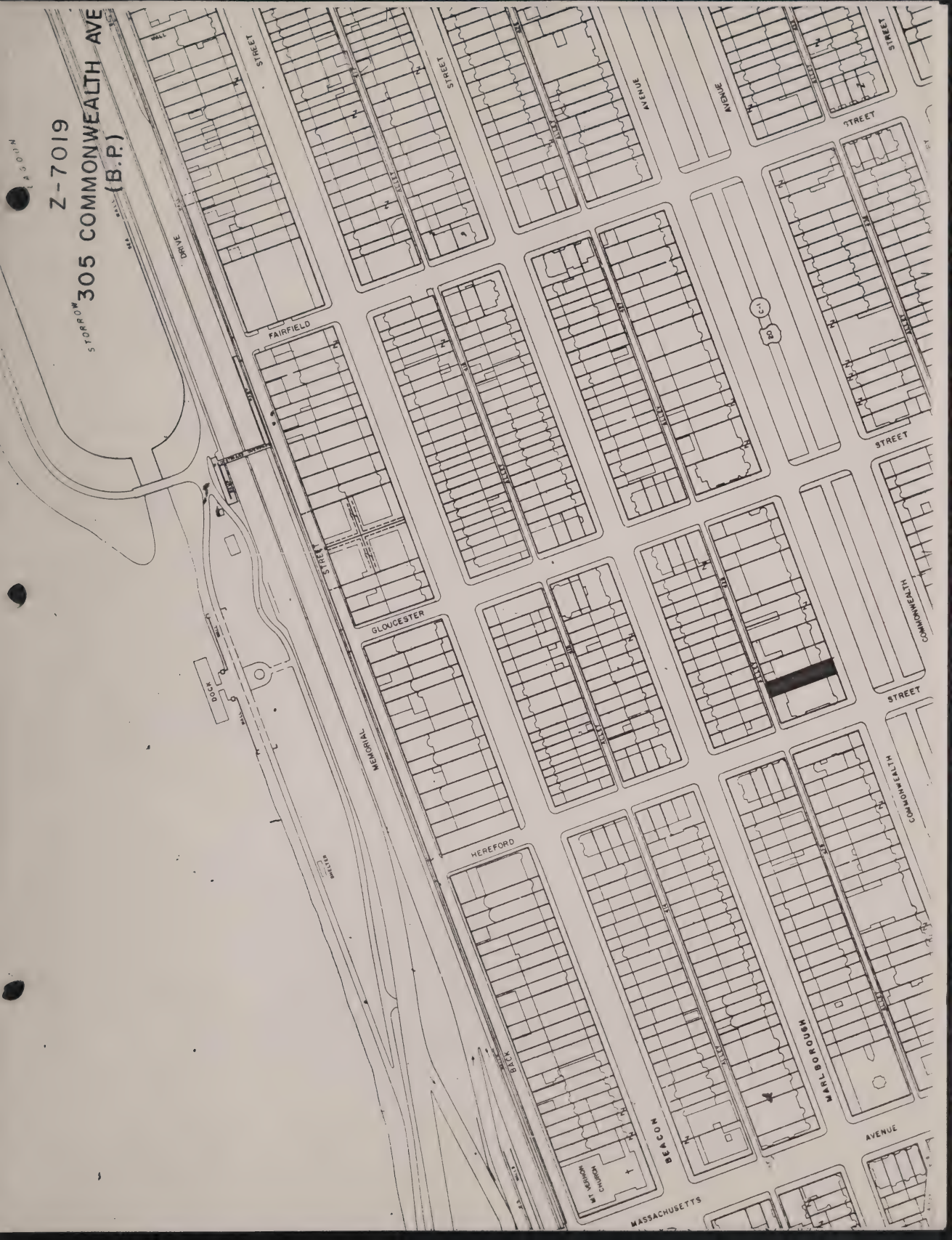
Fences shall not exceed five feet in height above average natural grade of front yard.

Proposed fence, similar in height to those on two adjacent properties, will improve and enhance the premises. Back Bay Architectural Commission has issued certificate of appropriateness. Recommend approval.

VOTED: In reference to petition Z-7019, Donald N. and Patricia M. Sweeney, 305 Commonwealth Avenue, Boston, for variance to erect six-foot cast iron fence in an apartment (H-3-65) district, the Boston Redevelopment Authority recommends approval. Proposed fence, similar in height to those on two adjacent properties, will improve and enhance the premises. Back Bay Architectural Commission has issued certificate of appropriateness.

Z-7019

STORROW 305 COMMONWEALTH AVE
(B.P.)



Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-7027
Carvella Tubbs
96 Itasca Street, Mattapan
at Monterey Avenue

Three-story structure

District(s):	apartment _____	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family <u>S-.5</u>		manufacturing _____

Purpose: erect three-story addition to six-unit apartment structure.

Violation(s):

Extension of nonconforming use.

Floor area ratio and building height are excessive.

Front yard is insufficient.

Area is predominantly one-family. Addition would expand two existing apartment units and provide first-level garage space. However, immediate abutter is opposed and has expressed concerns. Recommend denial without prejudice.

VOTED: In reference to petition Z-7027, Carvella Tubbs, 96 Itasca Street, Mattapan, for an extension of nonconforming use and four variances to erect three-story addition to six-unit apartment structure in a single-family (S-.5) district, the Boston Redevelopment Authority recommends denial without prejudice. Area is predominantly a one-family area. Immediate abutter is opposed to proposed expansion and has expressed concerns. Petitioner must meet with neighbor to discuss concerns and resolve differences.



Z-7027 96 ITASCA ST. MATTAPAN

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-7087

Automotive Analyzers, Inc.
365 Hyde Park Avenue, Roslindale
near Larch Place

Vacant Land

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-.5</u>	waterfront_____
	single family_____		manufacturing <u>M-1</u>

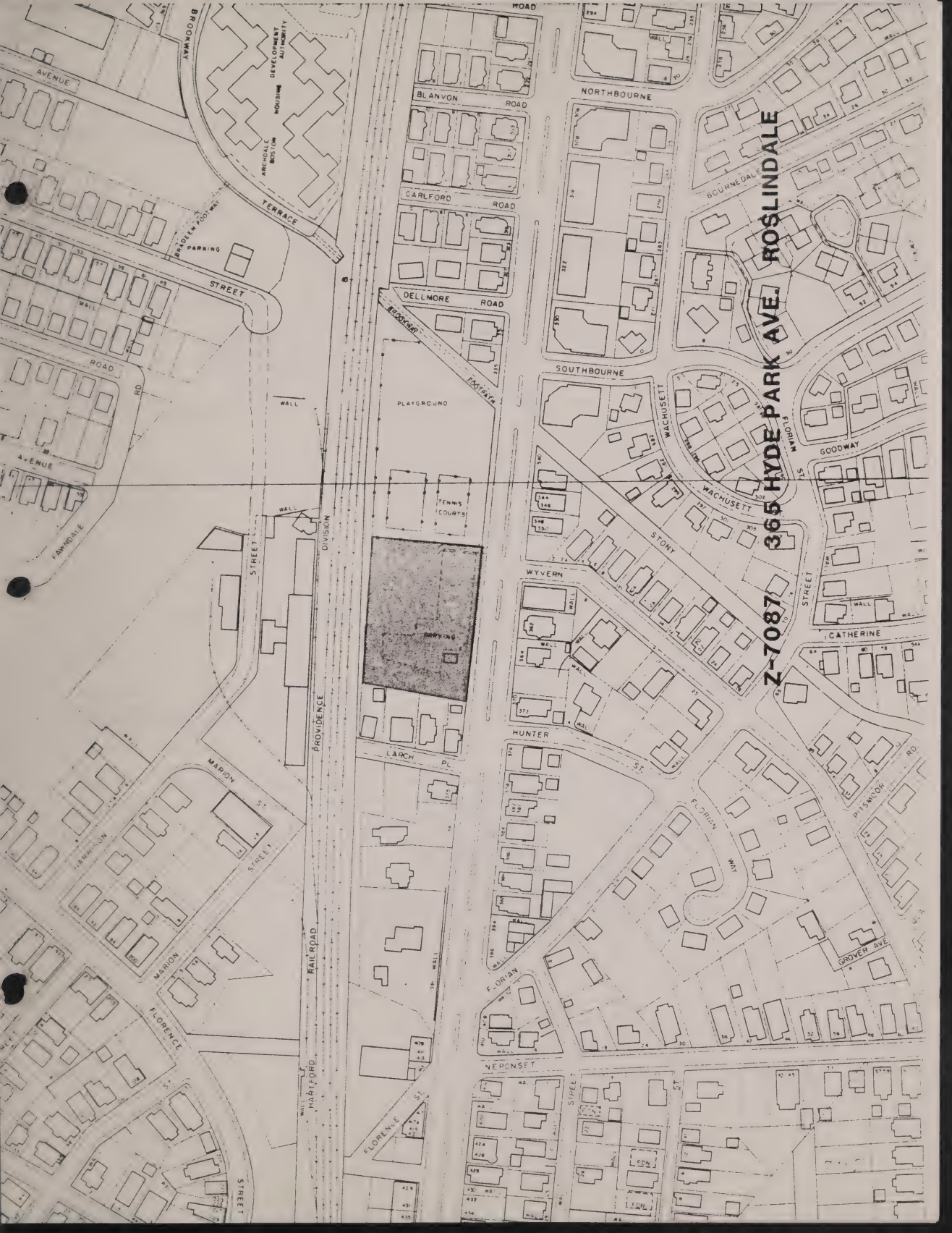
Purpose: use premises for outdoor storage of towed vehicles.

Violation(s):

Outdoor storage of towed motor vehicles is conditional use.

Site is inappropriate for proposed auto storage. A playground and a housing project are in close proximity. Use is incompatible with area, could create hazardous conditions, and does not comply with requirements for conditional use. Woodbourne Civic Association and abutters are opposed. Recommend denial.

VOTED: In reference to petition Z-7087, Automotive Analyzers, Inc., 365 Hyde Park Avenue, Roslindale, for conditional use to use premises for outdoor storage of towed motor vehicles in local business and manufacturing (L-.5 and M-1) districts, the Boston Redevelopment Authority recommends denial. Site is inappropriate for proposed auto storage. A playground and a housing project are in close proximity. Use is incompatible with area, could create hazardous conditions, and does not comply with requirements for conditional use. Woodbourne Civic Association and abutters are opposed.



365 HYDE PARK AVE
Z-7087

ROSLINDALE

Board of Appeal Referrals 7/12/84

Hearing: 7/24/84

Z-7102
Matthew Simon
504 Columbus Avenue, Boston
near Concord Square

Five-story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business L-2_____	waterfront_____
	single family_____		manufacturing_____

Purpose: change occupancy from four to five apartments.

Violation(s):

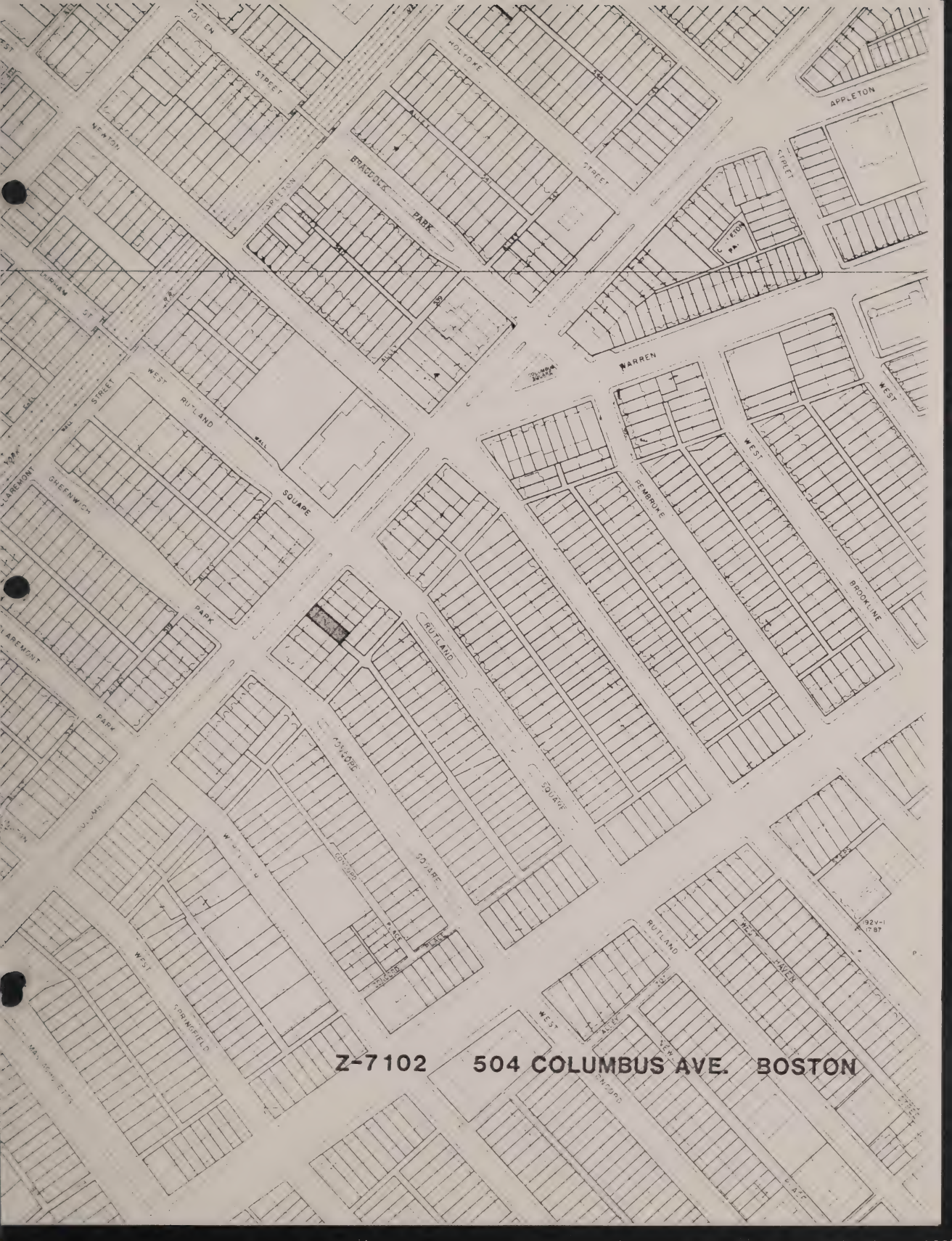
Dwelling converted for more families is forbidden use.

Floor area ratio is excessive.

Open space is insufficient.

Occupancy would be consistent with residential—local business neighborhood.
Recommend approval with proviso.

VOTED: In reference to petition Z-7102, Matthew Simon, 504 Columbus Avenue, Boston, for a forbidden use and two variances for change of occupancy from four to five apartments in a local business (L-2) district, the Boston Redevelopment Authority recommends approval with the following proviso: that plans be submitted to the Authority for design review approval. Proposed occupancy would be consistent with residential—local business neighborhood.



Z-7102

504 COLUMBUS AVE. BOSTON

Board of Appeal Referrals 7/12/84

Hearing: 9/18/84

Z-7139
Peter J. O'Malley
108 Cambridge and 1 Carter Streets,
Charlestown

3½-story structure

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-2

Purpose: change occupancy from two apartments and cafe to one apartment and cafe; erect two-story addition.

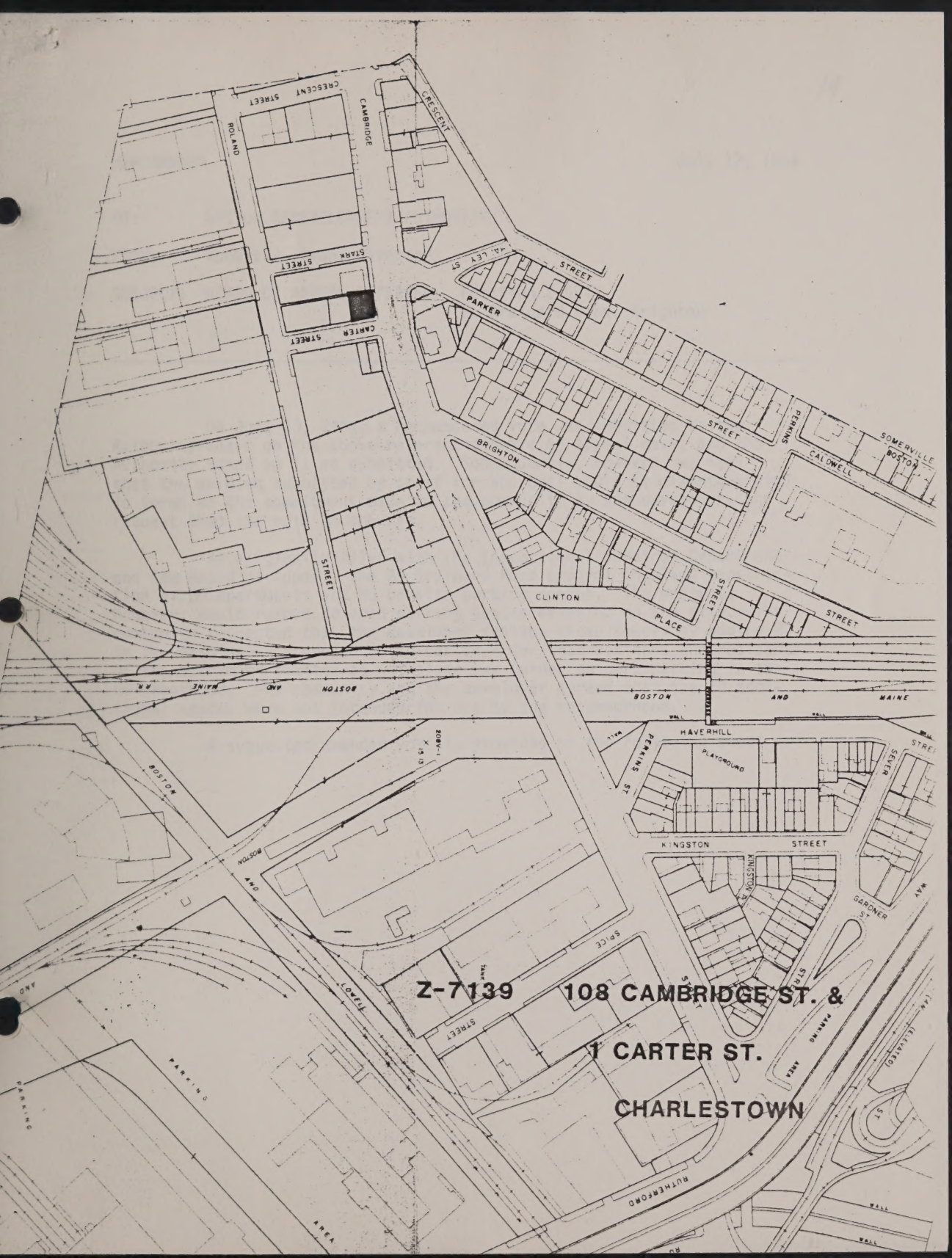
Violation(s):

Floor area ratio is excessive.

Open space, rear yard, and off-street parking are insufficient.

Area is primarily industrial-commercial. Addition will improve first-floor space and provide second-floor function room. Recommend approval with proviso.

VOTED: In reference to petition Z-7139, Peter J. O'Malley, 108 Cambridge and 1 Carter Streets, Charlestown, for four variances for change of occupancy from two apartments and cafe to one apartment and cafe and erect two-story addition in a manufacturing (M-2) district, the Boston Redevelopment Authority recommends approval with the following proviso: that petitioner make arrangements with nearby facilities to provide required off-street parking.



Z-7139

108 CAMBRIDGE ST. &

1 CARTER ST.

CHARLESTOWN

MEMORANDUM

July 12, 1984

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert J. Ryan, Director

SUBJECT: BOARD OF APPEAL REFERRAL: Petition Z-6943
85 Brainerd Road, Brighton

On June 20, 1984, a recommended vote was submitted to the Authority Board on the above-referenced Board of Appeal case, and the Authority voted on it as submitted. Subsequently, however, we feel that the wording submitted by staff for approval could be misinterpreted in terms of the commitment made to the community by the developer, and request that the vote be amended.

As originally filed with the Inspectional Services Department and the Board of Appeal, the 85 Brainerd Road project involves construction of 80 apartments and 80 on-site parking spaces. The project, however, would remove 20 open parking spaces existing on the site. The community requested that the developer replace these spaces by adding 20 to the originally proposed 80 spaces in order that visitors and residents of the apartment complex do not place any burden on curb parking in the neighborhood. The community and the developer agreed that the 20 additional spaces were not intended for use by the neighborhood.

A suggested amended vote is provided on the following sheet.

Board of Appeal Referrals 7/12/84 (resubmission)

Hearing: 7/10/84

Z-6943

Commonwealth Group Trust
85 Brainerd Road, Brighton
at Walbridge Street

59,571 square feet of land

District(s): apartment H-1 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: erect 80-unit apartment development.

Violation(s):

Parking not allowed within required front yard.

Lot area, open space, front and rear yards, corner traffic visibility, setbacks of parapet, and off-street parking are insufficient.

Floor area ratio is excessive.

Proposal consists of a six-story apartment structure and 2½- to 3-story townhouse structure with provisions for underground parking spaces.

Two specific concerns have resulted from review of project with neighborhood: elimination of 20 resident off-street parking spaces and impact on water table. Developer has agreed to provide 20 parking spaces in addition to the 80 proposed spaces, and is presently conducting a water table impact study.
Recommend approval with provisos.

VOTED: In reference to petition Z-6943, Commonwealth Group Trust, 85 Brainerd Road, Brighton, for thirteen variances to erect 80-unit apartment development in an apartment (H-1) district, the Boston Redevelopment Authority recommends approval with the following provisos: that plans be submitted to the Authority for design review approval; that developer's water table impact study be presented to the Authority, Board of Appeal, and neighborhood; that developer provide 100 parking spaces on-site in order that residents of the development and their visitors do not place a burden on curb parking in the community and compete with neighborhood residents for parking.

